

QUESTION NO. 3 (INDUCED INFRINGEMENT):

Do you find, by a preponderance of the evidence, that Microsoft Corporation has induced infringement of either of the following claims of the '630 patent? Answer "YES" or "NO" as to each claim.

Claim 1: No

Claim 2: No

QUESTION NO. 4 (CONTRIBUTORY INFRINGEMENT):

Do you find, by a preponderance of the evidence, that Microsoft Corporation has contributed to the infringement of either of the following claims of the '630 patent? Answer "YES" or "NO" as to each claim.

Claim 1: No

Claim 2: No

If you have answered YES to any part of Questions 1, 2, 3, or 4, then answer Question 5. Otherwise, go on to Question 6.

QUESTION NO. 5 (WILLFUL INFRINGEMENT):

Do you find, by clear and convincing evidence, that such infringement by Microsoft, if any, has been willful? Answer "YES" or "NO."

Answer: _____

QUESTION NO. 6 (ENABLEMENT):

Do you find, by clear and convincing evidence, that the '630 patent does not enable persons of ordinary skill in the field to make and use the claimed invention? Answer "YES" or "NO" as to each claim.

Claim 1: YES

Claim 2: YES

QUESTION NO. 7 (ANTICIPATION):

Do you find, by clear and convincing evidence, that either of the following claims of the '630 patent are invalid as anticipated by any item of prior art? Answer "YES" or "NO" as to each claim.

Claim 1: YES

Claim 2: YES

QUESTION NO. 8 (OBVIOUSNESS):

Do you find, by clear and convincing evidence, that either of the following claims of the '630 patent are obvious? Answer "YES" or "NO" as to each claim.

Claim 1: YES

Claim 2: YES

QUESTION NO. 9 (MARKING):

Do you find, by a preponderance of the evidence, that Computer Acceleration and the previous owners of the '630 patent have marked substantially all products that they sold or distributed that were covered by the '630 patent? Answer "YES" or "NO."

Answer: No

If you find that Microsoft has infringed a claim (in response to Question Nos. 1-4) that you do not find to be invalid (in response to Question Nos. 6-8), then answer Question Nos. 10-12. Otherwise, do not answer Question Nos. 10-12.

QUESTION NO. 10:

What sum of money, if any, do you find is adequate to compensate Computer Acceleration for the conduct you found to infringe from the commencement of infringement through today?

State your answer in format (A) OR format (B) (but not both), in dollars and cents:

(A) A reasonable one-time lump sum royalty of

\$ _____

OR

(B) A reasonable royalty from the commencement of infringement through today:

\$ _____

A reasonable royalty from July 6, 2006 through today:

\$ _____ (This amount must be less than or equal to the amount immediately above because it is for only a part of the total time period).

QUESTION NO. 11 (LACHES):

Do you find by a preponderance of the evidence that:

(a) Computer Acceleration delayed filing suit for an unreasonable and
inexcusable length of time from the time it knew or reasonably should have
known of its claim for infringement against Microsoft Corporation,

YES _____ NO _____

(b) and the delay caused material prejudice or injury to Microsoft Corporation?

YES _____ NO _____

QUESTION NO. 12 (INEQUITABLE CONDUCT):

Do you find by clear and convincing evidence that:

(a) Anyone involved in the prosecution of the '630 patent withheld material
prior art from the Patent and Trademark Office?

YES _____ NO _____

(b) Any withholding of material prior art from the Patent and Trademark Office
was done with intent to deceive?

YES _____ NO _____

Date: 11/15/07

Initials of Foreperson: 